

Delta Protection Commission
Land Use and Resource Management Plan Update 2009

Summary of the Preliminary Draft Plan Public Workshops,
January 2009

This document summarizes the themes that came up in discussions at the public workshops on the Delta Protection Commission's preliminary draft of an updated Land Use and Resource Management Plan. The document is organized by element and by policy, and combines public comments from both the January 7th meeting in Walnut Grove and the January 8th meeting in Stockton. It is meant to be used in conjunction with the actual text of the Preliminary Draft Plan, which can be found at <http://www.delta.ca.gov/plan/management.asp>. A detailed record of all the comments from each workshop can be found at the same site.

MEETING OVERVIEW

Linda Fiack, Executive Director of the Delta Protection Commission, welcomed participants to the meetings. Dorian Fougères, Assistant Facilitator with the Center for Collaborative Policy, reviewed the agendas and ground rules. Linda then provided background information on the history of the Delta Protection Act, the purpose of the Land Use and Resource Management Plan, and the update process. She explained that a 12-member Planning Advisory Team, representing various types of expertise from local and State government, had made some changes to the structure of the plan and revised each element of the plan.

Participants spent the remainder of the workshop reviewing each element and policy in detail. Given the large number of participants, participants at the Walnut Grove meeting went through two cycles of breaking into several small groups to discuss their comments, and then sharing these comments with the larger group. At the Stockton meeting, the smaller number of participants discussed their comments as one large group.

After receiving this input, Linda closed with a discussion of next steps, mentioning that comments and a summary would be posted online, and that people could give additional comments via the survey link on the Delta Protection Commission's Update process website, <http://www.delta.ca.gov/plan/management.asp>. Lastly, participants were asked for feedback on how the workshops were organized and conducted, thanked for coming.

1) NATURAL RESOURCES ELEMENT

Policy 1. Agriculturally Oriented Land Uses

- The term ‘temporarily’ needs to be defined in the context of this policy.
- As land cannot always be reinstated to agriculture, it should be explained that alternatives should be considered.

Policy 5. Agricultural Viability

- Agricultural viability was noted as being especially important and worthy of preservation and protection regardless of the financial mechanism.

Policy 6. Appropriate Buffers

- The term ‘appropriate buffers’ needs to be defined. See also Land Use Policy 3 for more discussion on buffer issues.

Policy 8. Conservation Easements

- Emphasize that easements should be voluntary and the commission cannot use eminent domain.
- Mention that easements must be planned for to avoid being placed in the middle of a diversified farming area.

Policy 9. Inundation Protection for Wildlife Habitat

- Clarify if the source of inundation is from levee failure or something else.
- Question as to why duck clubs should be protected when reclamation districts need to come up with their own funding sources.

Policy 10. Tourism and National Heritage Area Designations

- Include a discussion on funding source for the goals, especially the funding source for National Heritage Area designation.
- Include a clarification of the purpose of the National Heritage Area designation and identify who would manage it.

2) LAND USE ELEMENT

Policy 3 (Options 1 and 2). Buffer Setbacks

- Some members of the public chose option 1 as they felt option 2 was not specific enough.
- More members of the public chose option 2 as they felt a case-by-case approach that considers mitigation was needed that appropriate buffer setbacks should be determined by local Agricultural Commissioners.
- Concern was expressed about what can be planted in a buffer zone, specifically about planting invasive plant species and attracting endangered species.

- It was requested that Commission address issue of buffers between primary and secondary zones.

Policy 4 (Options 1, 2 and 3). Residential Development

- Support was divided amongst the public.
 - Some chose option 1 but wanted to broaden the list of communities.
 - Some members thought option 1 would weaken the Act and therefore chose option 2.
 - Some members chose option 3, and wanted to add that appropriate impact fees be determined to pay ‘fair share’ for new infrastructure and flood protection

Policy 6. Water Reservoirs

- The term ‘reservoir’ needs to be defined.

Policy- 10. Spoil Sites for Dredge Materials

- There was support for the encouragement of more spoil sites and the use of dredged material at spoil sites for levee rehabilitation.

Policy 12. Clustering and Transfer of Development Rights

- General theme: people questions why 1992 zoning would be used instead of 2009.

Policy 13. Critical Masses to Support Agriculture

- The term ‘critical mass’ needs to be defined.

Policy 13 and Policy 14. Agricultural Infrastructure and Support

- There was general confusion amongst many people about what supports agriculture and what does not.

3) AGRICULTURE ELEMENT

Policy 2. Conversion of Land from Agricultural Uses

- It needs to be clarified that the purpose is to ensure that high quality agricultural land is not converted to something else.

Policy 5. Planning for Agricultural Land Uses

- Clarify what is ‘appropriate’ in regards to urban land uses and agriculturally-oriented land uses.

Policy 6. Easements, Transfer of development Rights and Environmental Mitigation

- Needs recognition on who would do the acquisitions and recognition that they are voluntary.

Policy 8. Zoning Codes

- General theme: people questioned why 1992 zoning would be used instead of 2009.

4) WATER ELEMENT

Policy 3. Water Quality Standards and Uses of Water

- This is violated regularly and there has been conflicting interest for decades now. DPC needs to be more aggressive about this issue to make sure these standards are met.

Policy 5. Water Transportation System

- Public was divided about which option they preferred.
 - If option 1 is chosen many felt that ‘a primary’ should be changed to ‘the primary.’
 - Similarly, if option 2 is chosen, there was interest in changing ‘a transportation system’ to ‘the transportation system.’

Policy 6. Water Rights

- There is strong support of this policy and interest in strengthening the language in it.

5) RECREATION AND ACCESS ELEMENT

General comments

- Boating appears to be minimized in this draft plan compared to how it was originally framed in the Act.
- This element needs to discuss how the problems associated with recreation will be addressed such as litter, theft, trespassing, etc., in order to take responsibility for an increase in visitors.

Policy 5. Delta-wide trails

- This policy needs to discuss installing signage on trails and also define necessary amenities both for land and water trails.

Policy 10. Abandoned Vessel Removal

- More money and leadership is necessary for removal of abandoned vessels for counties. There needs to be a program to surrender them before they are abandoned.

Additional Policies

- A new policy is necessary on keeping navigable waterways open needs to be developed.

6) LEVEES ELEMENT

Policy 1. Flood Protection and Construction

- People questioned why 1992 allowable densities are used instead of 2009.

Policy 4. 200-year Levee Standards

- Add a policy that prevents further residential development until the 200-year levee standards are met.

Policy 5. Minimum Design Standard for Levees

- This policy needs to incorporate levee standards set by FEMA as otherwise FEMA won't participate.

Additional Policies

- There needs to be a policy that addresses issue of revegetation of levees, and also address the issue of how water quality can be improved with levees on an interim basis.

7) UTILITIES AND INFRASTRUCTURE ELEMENT

Policy 2. Independent Potable Water and Wastewater Treatment Facilities

- The term 'septic systems' should be used instead of 'wastewater treatment facilities.'
- It is necessary to clarify who is being served by these facilities, if it is for individuals or communities, and that it is only for commercial or industrial uses.

Policy 5. Roads and Traffic

- There was discussion that commuterways already exist in the Delta (e.g., highways 4, 12, 160 and Howard Road) and therefore conflict with this policy. Therefore perhaps commuters should be encouraged to be use these commuterways to get through agricultural area. In some instances, perhaps the commuterways should be widened in case of emergency.